

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address <input type="checkbox"/> <i>Individual appearing without attorney</i> <input type="checkbox"/> <i>Attorney for:</i>	FOR COURT USE ONLY <div style="border: 1px solid black; padding: 10px; text-align: center; margin: 10px auto; width: 80%;"> FILED & ENTERED <div style="border: 1px solid black; padding: 5px; display: inline-block; margin: 5px auto; width: 60%;"> JUN 16 2021 </div> <small>CLERK U.S. BANKRUPTCY COURT Central District of California BY sumlin DEPUTY CLERK</small> </div>
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA –<u>Los Angeles</u> DIVISION	
In re: <div style="text-align: center; padding-top: 20px;"> PHILIP JAMES LAYFIELD, </div> <div style="text-align: right; padding-top: 20px;"> Debtor(s). </div>	CASE NO.: 2:18-bk-15829-NB CHAPTER: 7 ORDER: <input checked="" type="checkbox"/> <u>GRANTING TELEPHONIC REQUEST FOR HEARING ON SHORTENED NOTICE AND SETTING HEARING ON SHORTENED NOTICE</u> <input type="checkbox"/> DENYING APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE <div style="text-align: right;"> [LBR 9075-1(b)] </div>
Movant (name): RODNEY PIMENTEL	

1. Movant ~~[anticipates filing]~~ ~~filed~~ the following motion together with supporting declarations and (if any) supporting documents:
 - a. *Title of motion:* Motion for Relief From the Automatic Stay Under 11 U.S.C. § 362 (Action in Nonbankruptcy Forum) (the "R/S Motion")
 - b. *[Anticipated] Date of filing of motion:* June 16, 2021
2. Pursuant to LBR 9075-1(a), on June 15, 2021, movant made a telephonic request for an emergency hearing on less than 48 hours' notice (the "Application").

 Pursuant to LBR 9075-1(a)&(b) and 1001-1(d), ~~movant also filed~~ this Court is *provisionally* treating the R/S Motion as an Application for Order Setting Hearing on Shortened Notice (Application) together with supporting declaration(s), and alternatively this Court is *provisionally* determining that a separate Application is not required. Alternatively, this Court *provisionally* is waiving any requirement for a separate Application:

3. Based upon the court's ~~review~~ consideration of the Application, it is ordered that:

- a. ☐ The Application is denied. The motion may be brought on regular notice pursuant to LBRs.
- b. ☒ The Application is **provisionally** granted (*see paragraph 7 below*), and it is further ordered that:
- (1) ☒ A hearing on the motion will take place as follows:

Hearing date: June 24, 2021	Place:
Time: 1:00 p.m.	<input checked="" type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012
Courtroom: via ZoomGov	<input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367
	<input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501
	<input type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701
	<input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101

- (2) ☐ No later than the deadlines given, **telephonic notice** of the hearing must be provided to all persons/entities listed: N/A
- (3) ☒ No later than the deadlines given, **written notice of the hearing** and a **copy of this order** must be served upon all persons/entities listed using the methods set forth below: ☐ ~~one of the methods checked~~ ☐ ~~all of the methods checked~~

(A) ☐ ~~Personal Delivery~~ ☐ ~~Overnight Mail~~ ☐ ~~First class mail~~ ☐ ~~Facsimile*~~ ☐ ~~Email*~~

(B) <u>Deadlines for RECEIPT of Expedited Service – i.e., overnight mail, personal delivery, facsimile*, email*, or Notice of Electronic Filing (“NEF”):</u>	(C) <u>Persons/entities to be served with written notice and a copy of this order:</u> Parties to be served via Expedited Service: All parties in the Nonbankruptcy Action, the chapter 7 trustee, the debtor and debtor's attorney (if any), and any other person directly affected by the R/S Motion
Date: June 18, 2021	(D) <u>Service is also required upon:</u> -- United States trustee (electronic service is not permitted) Judge's copy personally delivered to chambers (see Court Manual for address)

- (4) ☒ No later than the deadlines given, a copy of the motion, declarations, and supporting documents (if any), must be served on all persons/entities listed using: ☐ ~~one of the methods checked~~ ☐ ~~all of the methods checked~~ Same as above.

- (5) ☒ Regarding **opposition to the motion**:

☐ opposition to the motion may be made **orally** at the hearing

☒ no later than the deadlines given, **written opposition to the motion** must be filed with the court and served upon all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☒ Personal Delivery ☒ Overnight Mail ☒ First Class Mail ☒ Facsimile* ☒ Email*

(B) <u>Deadlines for RECEIPT:</u> Date: June 23, 2021 Time: 10:00 a.m.	(C) <u>Persons/entities to be served with written opposition to the motion:</u> -- movant's attorney (or movant, if movant is not represented by an attorney) (D) <u>Service is also required upon:</u> -- United States trustee (electronic service is not permitted) -- Judge's copy personally delivered to chambers (see Court Manual for address)
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(6) ☒ Regarding a **reply to an opposition:**

☒ a reply to opposition may be made **orally** at the hearing.

(7) ☒ Other requirements:

*Pursuant to Judge Bason's COVID19 Procedures, **appearances must be via ZoomGov**. For instructions on how to appear via ZoomGov, please see the tentative ruling that will be posted for the first matter on the calendar (i.e., page 1 of the posted tentative rulings). Note that CourtCall (the service that was previously used by this Court for telephonic appearances) will not be able to connect to the hearing, but ZoomGov will permit either video or telephonic appearance (at no cost to the user).*

The first issue that Applicant is directed to address at the hearing is whether to shorten time, and why notice could not have been provided sooner.

(8) ☒ No later than the deadlines given, movant must file a **Declaration of Notice and Service** establishing that telephonic notice, written notice, and service of the motion and this order was completed as set forth above, ~~and a judge's copy of the Declaration of Notice and Service must be personally delivered to the judge's chambers:~~


☐ at least 2 days before the hearing.

☒ no later than: Date: June 17, 2021 Time: **5:00 p.m.**

* Service by electronic means (facsimile or email) requires compliance with F.R.Civ.P. 5(b)(2)(E).

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Date: June 16, 2021



Neil W. Bason
United States Bankruptcy Judge